

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICKIE THOMAS,

Petitioner,

v.

REED HOLTGEERTS,

Respondent.

CASE NO. C05-0256JLR

REPORT & RECOMMENDATION

On April 19, 2005, the court ordered petitioner to show cause why his pending habeas petition should not be dismissed because of jurisdictional flaws apparent on the face of the petition. (Dkt. #8). The court identified the flaws and gave petitioner 21 days, or until May 10, 2005, to respond. (*Id.*) The court advised petitioner that failure to respond would result in the dismissal of his habeas petition. (*Id.*) As of the date of this Report & Recommendation, petitioner has yet to respond or to seek an extension of time in which to do so. Accordingly, petitioner's petition for a writ of habeas corpus should be dismissed without prejudice. A proposed Order is attached.

DATED this 3rd day of June, 2005.



MONICA J. BENTON
United States Magistrate Judge

REPORT & RECOMMENDATION